

REMARKS

In the Office Action dated April 20, 2006, the Examiner rejected claims 4, 8, 12, 16, 20 and 24 under 35 U.S.C. § 112. The Examiner also rejected claims 1-24 under 35 U.S.C. § 102(e), as anticipated by U.S. Publication No. 2003/0055668 (hereafter "*Saran*"). To more appropriately define the invention, claims 4,8,12,16, 20 and 24 have been amended. Claims 25-36 have been added to further clarify the scope of the invention, and do not constitute new matter. Claims 1-36 are pending in the application. The Applicants respectfully traverse the Examiner's rejections and request reconsideration of the application, as amended.

Rejection Under 35 U.S.C. § 112

With respect to the Examiner's indefiniteness rejection, the Applicants have amended claims 4, 8, 12, 16, 20, and 24 in conformance with the Examiner's recommendation in the Office Action dated April 20, 2006. No new matter has been introduced by these amendments. Additionally, no amendment was made for the purpose of narrowing any claim. The Applicants respectfully request the Examiner withdraw his indefiniteness rejection with respect to the amended claims.

Rejection Under 35 U.S.C. § 102(e)

The Examiner rejected claims 1-24 under 35 U.S.C. § 102(e) as anticipated by *Saran*. Anticipation under 35 U.S.C. § 102(e) requires that a single prior art U.S. patent describe each and every claimed element, either expressly or inherently. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999). Applicants respectfully contend that *Saran* is not a valid 102(e) reference because *Saran* fails to teach at least one claim limitation for each of applicants' independent claims, 1, 5, 9, 13, 17 and 21. Applicants'

dependent claims should also be allowed, because, by default, they incorporate the limitations of the independent claims.

Saran is directed to a scalable workflow engine. *Saran* contains examples of scanning physical inventory to update a remote database, but not remotely checking item quantity. *Saran*, p. 7, para. [0093]. All of the Applicants' claims require an availability check, which is not taught by *Saran*. Additionally, *Saran* does not disclose synchronizing a database, as required by some of the Applicants' claims. These distinctions are discussed in detail, as follows.

Distinction 1: creating an availability query

With respect to all independent claims, 1, 5, 9, 13, 17 and 21, *Saran* does not teach "creating an availability query." Instead, *Saran* discloses sending a message to "update inventory records based on a physical inventory that was taken using the hand-held scanner." *Saran*, p. 7, para. [0093]. An availability query, unlike an update, does not necessarily require modifying database records. A person scanning physical inventory, as in *Saran*, typically would not use an availability query because that person is not placing an order, and, in addition, can see that the scanned inventory is available. *Saran*, p. 7, para. [0093].

Furthering this distinction, the Applicants' Figure 6 includes both a "Create" button and an "ATP Check" button. *Saran* teaches functionality similar to that of the "Create" button, in that both involve updating a database. The "ATP Check" button, on the other hand, is an example of the Applicants' claimed functionality. This button is used to check availability without necessarily updating the inventory database. See Fig. 6, ref. 640, p. 4, para. [0049]. Taken together, the availability query is not disclosed or

inherent in *Saran*. Therefore, *Saran* is not a valid 35 U.S.C. § 102(e) reference against independent claims 1, 5, 9, 13, 17 and 21.

Distinction 2: receiving a query result indicating availability of a quantity

In addition, *Saran* does not disclose a mobile device “receiving a query result from the principal computing platform ... indicating the availability of the item number at the requested quantity,” as required by all independent claims, 1, 5, 9, 13, 17 and 21.

Although *Saran* does disclose responding to an “inventory update request” by sending a message to the “workflow engine,” the return message does not indicate “availability of the item number at the requested quantity.” Instead, the return message in *Saran* indicates the total updated quantity, after the database is updated by that quantity. *Saran*, p. 7, para. [0095]. The updated quantity is not an indication of the availability of the item number at the requested quantity, as claimed by the Applicants, but instead merely indicates what was updated. Also, *Saran* does not indicate that this return message will even arrive at the handheld inventory scanner, because the message is only sent to the “workflow engine.” *Saran*, p. 7, para. [0095]. Because *Saran* does not teach the above limitation, *Saran* does not anticipate any of the Applicants’ claims under 35 U.S.C. § 102(e).

Distinction 3: synchronizing a replica database

Finally, with respect to independent claims 13, 17 and 21, *Saran* does not teach “synchronizing one or more data items in a backend database with one or more data items in a replica database located in the mobile device.” The Examiner points to *Saran*, page 7, paragraph [0093], but this paragraph does not disclose a replica database located in a mobile device or any synchronization of the replica database. In

fact, a replica database is not discussed anywhere in the *Saran* reference. Therefore, claims 13, 17 and 21 are not anticipated by *Saran* under 35 U.S.C. § 102(e).

Claims added by amendment

Claims 25-36, added by amendment, are not disclosed in *Saran*. *Saran* discloses scanning physical inventory, while claims 31-35 all require an availability check made while not in the physical presence of the item being checked. New claims 26-30 require displaying a result other than a quantity number (for example, text or color), while *Saran* only discloses displaying an update-quantity number. *Saran*, p. 7, para. [0095]. Therefore, the claims added by amendment are not anticipated by *Saran*.

Conclusion:

In view of the foregoing remarks, Applicants submit that this claimed invention is not anticipated in view of the prior art reference cited against this application. Applicants therefore respectfully request the Examiner's reconsideration and reexamination of the application and the timely allowance of the pending claims, 1-36.


The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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